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October 14, 2025

VIA ECF
Hon. Brian M. Cogan, U.S.D.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Simmons and Lauture v. SUNco Capital, LLC*, et. al., 24-cv-07129 (BMC)

Dear Judge Cogan:

This office represents the SUNco Capital/ATTYX Defendants (“SUNco”) in the above-captioned matter. I write jointly with counsel for Plaintiff Marie Lauture (“Ms. Lauture”) to advise the Court that SUNco and Ms. Lauture have reached a settlement in principle. We are in the process of reducing the agreement to writing.

In light of the settlement, and in order to narrow the issues pending before the Court, SUNco hereby withdraws its pending application/motion to compel arbitration as against Ms. Lauture, without prejudice. Once the parties execute a settlement agreement, counsel for Ms. Lauture will file a stipulation of discontinuance as to her claims against SUNco.

Given these developments, it is respectfully requested that Ms. Lauture and Defendant’s subpoenaed witness, Kristofer Moore, be excused from appearing at the trial scheduled to commence October 15, 2025.

Counsel for all affected parties have reviewed and consent to the submission of this joint letter.

Reply to:

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Page 2

Thank you.

Respectfully submitted,

A handwritten signature in cursive script that reads "David A. Loglisci". The ink is dark and the handwriting is fluid.

David A. Loglisci